IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

Criminal Application No.3150 of 2006
In
Criminal Appeal No. 376 of 2004

Office Notes, Office Memoranda of Coram, : Appearances, Court's orders or directions : Court's or Judge's orders and Registrar's orders.

Ms. U.K. Kalsi, Advocate for the appellant,
Mr. D.B. Patel, APP for the respondent/State.

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CORAM : K. J. ROHEE & C. L. PANGARKAR, JJ
DATED : OCTOBER 11, 2006

1. Heard the learned counsel for the appellant and the learned APP for the respondent/State.

2. The appellant has been convicted for the offence punishable u/s 302 and 201 of I.P.C. Accused No.2 was also tried with the appellant for the offence punishable u/s 201 of I.P.C. However, accused no.2 was acquitted.

3. There is no direct evidence against the appellant. The circumstantial evidence shows that the appellant was last seen with deceased Firobai. The clothes of deceased Firobai were discovered at the instance of the appellant from the house of accused no.2. So also the nuggets of gold and silver ornaments were also discovered at the instance of the appellant from the

shop of Jeweller. All these circumstances provide complete chain which unequivocally point to the guilt of the appellant and exclude any hypothesis consistent with his innocence. Hence we are not inclined to suspend the sentence and to release the appellant on bail. The application is, therefore, rejected.

JUDGE **JUDGE**

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